

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

November 22-26, 2004

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
11-22	EX	75926911	Belcaro Group, Inc.	Hairston* Walters Chapman	2(d)	Refusal Affirmed		“SHOPATHOME.COM” [marketing services, namely, providing qualified sales leads to businesses that sell via direct marketing in print and electronic form; and promoting the goods and services of others through the provision of a web site featuring links to the on-line catalogs and web sites of a wide variety of direct marketing retailers]	“SHOP AT HOME NETWORK” (and design) [computerized on-line and interactive TV retail services featuring the goods and services of others in the field of <i>a variety of</i> consumer retail products; and entertainment services in the nature of ongoing TV programs in a home-shopping TV format and information programming in the nature of product information and collectible news that promotes the goods and services of others for retail sale]	Fromm	No
11-22	EX (R)	75516045	The Language Workshop for Children/ Cercle Franco Americain, Inc.	Hohein* Chapman Rogers	2(e)(1); whether applicant's mark has acquired distinctiveness under Section 2(f)	Request for Reconsideration Denied (Refusal Affirmed)		“FOR TOTS” [educational services, namely, providing classes in foreign languages to children and distributing course material in connection therewith]		Hickey	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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11-22	CANC	92041076	I.B.E. Inc. v. Janet Seed Balekjian	Quinn Bucher Drost*	2(d); affirmative defenses of abandonment and laches	Petition to Cancel Granted	"DERMACLAIR" [cosmetic products, namely, skin bleaching creams, skin creams and lotions, liquid hand and body soap and bar soaps for the body]	"DERMACLEAR" (in underscored lower case lettering) [skin care preparations in the form of a lotion for cleaning, clearing and rejuvenating skin]			No
11-22	OPP (MD)	91160758	Pan American Coffee Co., Ltd. v. Caracolillo Coffee Mills, Inc.	Seeherman Walters Holtzman [Opinion "By the Board" (Butler)]	whether opposer may seek geographical restriction of applicant's application in the present opposition proceeding	Opposition Dismissed (applicant's motion to dismiss granted)	"CAFÉ CARACOLILLO" [coffee]	"CAFÉ CARACOLILLO" [coffees]			No
11-23	EX	78174944	PMC Stonecare Enterprises, Inc.	Quinn* Hairston Drost	2(e)(1)	Refusal Affirmed		"STONE WIPES" [stone and rock cleaning, sealing and polishing compounds in disposable towels]		Weimer	No
11-23	EX	76273134	National Weather Networks, Inc.	Hohein Walters* Rogers	2(d)	Refusal Affirmed in both classes		"WEATHERVISION" [<i>in Class 38</i> : audio and video broadcasting of customized, localized weather forecasts; <i>in Class 42</i> : weather forecasting, namely, providing customized audio and video local weather forecasting information via multi-media means]	"WEATHERVISION" [weather consulting services, including consulting services in the nature of expert testimony in the field of meteorological conditions]	Kazazian	No
11-23	EX	76506518	Worldwise, Inc.	Quinn* Chapman Rogers	2(e)(1)	Refusal Affirmed		"PETSPREAD" [protective blanket throw for pets]		Fickes	No

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11-23	OPP	91154392	Virgin Enterprises Ltd. v. Kay Guitar Co.	Quinn* Hohein Chapman	2(d)	Opposition Sustained	a large number of marks incorporating the word "VIRGIN" [<i>for a variety of goods and services, including: pre-recorded audio and/or video tapes, cassettes, and cartridges; prerecorded audio and video discs; phonograph records, photographs; retail store services in the fields of records, audio and video tapes, audio and video recorders, computers and electronic apparatus, and sheet music; retail department stores services; and a variety of other goods and services</i>]	"VIRGIN GUITARS" (in stylized form) [guitars]			No
11-23	EX	76428914	Nucleus Research Inc.	Simms Quinn* Walters	2(e)(1)	Refusal Affirmed		"THE ROI EXPERTS" [consumer research of goods and services; and providing product and service reviews relating to computers, computer software, online services, high technology communications, information technology and information services]		Foster	No

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